

57. No. PW021406-08 Authorize staff to advertise for bids for 2006 Street Painting Project No. STCM06-1475; CIP #50594
58. No. PW021406-09 Authorize staff to advertise for bids for 2006 Street Marking Project No. PM06-1463; CIP #50593
60. No. PW021406-11 Authorize the Mayor and Finance Officer to sign Amendment No. 1 to the Professional Services Agreement with enVision Design, Inc. for the Dahl Fine Arts Center Expansion Project No. IDP 04-1367 (remodeling of the existing Dahl Fine Arts Center / MDU) for a decrease of \$194,116.19.
69. No. LF020106-05 Approve appointments of Tom Collings, Kathy Laforest, Dave Kurtz, Scott Backens, Doug Puetz, Shelly Shock, Brian Gosch and Margo Burton and Sheryl Logan to the Mayor's Committee for People with Disabilities.

Johnson moved, second by Kroeger and carried to approve the following items as they appear on the Consent Calendar.

Public Works Committee Consent Items

48. No. PW021406-01 Approve a request by Dream Design Inc. for authorization to prepare an H-Lot in the unplatted balance of the E1/2 NE1/4 and the NE1/4 SE1/4, Section 29, T1N, R7E, BHM on behalf of the City of Rapid City and authorize acceptance of deeds.
49. Approve the installation of the Neighborhood Watch pal light at the Monroe / Lemmon drainage area.
50. Acknowledge report on Fairview Street, 700 Block sewer backup.
51. No. PW021406-02 Approve Change Order No. 1 for Nugget Gulch Road Extension Project No. ST05-1534; CIP #50615 to Quinn Construction, Inc. for an increase of \$3,600.00
52. No. PW021406-03 Authorize staff to advertise for bids for Hot Mixed Asphaltic Concrete
53. No. PW021406-04 Authorize staff to advertise for bids for Ready Mixed Concrete
54. No. PW021406-05 Authorize staff to advertise for bids for Limestone Gravel
55. No. PW021406-06 Authorize staff to advertise for bids for Sweeper Broom Refills
56. No. PW021406-07 Authorize staff to advertise for bids for Handheld, Mobile Two-Way Radios/Pagers
59. No. PW021406-10 Authorize the Mayor and Finance Officer to sign a Professional Service Agreement with Stanley Consultants, Inc. for Canyon Lake Restoration Project No. PW06-1561 / CIP #50631 for an amount not to exceed \$9,700.
61. No. PW021406-12 Approve Out-Of-The-Dust funds in the amount of \$15,565 to pave approximately 250 feet of Rushmore Street.
62. No. PW021406-13 Authorize the Mayor and Finance Officer to sign an Amendment to the Professional Services Agreement with FMG, Inc. for Engineering and Construction materials testing for projects started in 2005 for an amount not to exceed \$1,158.60.
63. No. PW021406-14 Approve a Resolution imposing water construction fees for connection to the water utility along portions of Mallow Street as per the Mallow Street Utility Extension Project No. DEV 04-711.

RESOLUTION

WHEREAS, Rapid City Municipal Code Section 13.04.095 and South Dakota Codified Law Section 9-47-16 allows the Common Council to impose water construction fees for connection to the water utility in certain areas; and

WHEREAS, water utility mains have been extended along portions of Mallow Street as per plans titled "Mallow Street Utility Extension (DEV 04-711)", as shown on Exhibit A, attached hereto and incorporated herein, by Robert J. Pesek, hereinafter referred to as "Developer", and

WHEREAS, Developer paid the total project costs to extend the water utility main including engineering and construction costs; and

WHEREAS, the total project cost to complete this water utility main extension project was \$20,671.40; and

WHEREAS, the total project cost will be equally proportioned to the properties identified in Exhibit A before such property shall be served with such facilities; and

WHEREAS, the Common Council finds that such utility construction fees are appropriate and in the best interests of the City, community, and the water utility.

NOW, THEREFORE, be it resolved that utility construction fees are hereby imposed on the property that benefits from the construction of the water utility main along Mallow Street as per plans prepared by Centerline titled "Mallow Street Utility Extension (Dev 04-711)", and

BE IT FURTHER RESOLVED, three properties that will benefit from the extension of the water utility main have been identified and are shown on Exhibit A, and are further identified as the Heiser property (lots 23, 24, 25 & 26), the Chandler property (lot 18), and the Pesek property (Developer's)(lots 19, 20, 21, & 22); and

BE IT FURTHER RESOLVED, the above-described properties shown in Exhibit A, other than the Pesek property (Developer's property), shall be required to pay its proportional share of the cost of the construction of the extension of the water utility main at such time the property requests a water service tap; and

BE IT FURTHER RESOLVED, the basis for establishing each benefiting property's proportional share of the cost of the construction shall be accomplished by dividing the actual project cost by 3 parcels (one of which is the Developer's parcel); and

BE IT FURTHER RESOLVED, all water utility construction fees collected as established herein shall accrue to the water utility enterprise fund; and

BE IT FURTHER RESOLVED, such utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$13,780.94 is collected, at which time this Resolution and utility construction fee shall automatically expire; and

BE IT FURTHER RESOLVED, the Developer will be reimbursed his proportional share of the cost associated with extending the water main from the water utility construction fees collected as established herein.

Dated this 20th day of February, 2006.

ATTEST:
s/ James F. Preston
Finance Officer
(SEAL)

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

- 64. No. PW021406-14A Approve a Resolution imposing sewer construction fees for connection to the sanitary sewer utility along portions of Mallow Street as per the Mallow Street Utility Extension Project No. DEV 04-711.

RESOLUTION

WHEREAS, Rapid City Municipal Code Section 13.08.365 and South Dakota Codified Law Section 9-48-15 allows the Common Council to impose sewer construction fees to the sanitary sewer utility in certain areas; and

WHEREAS, sanitary sewer mains have been extended along portions of Mallow Street as per plans titled "Mallow Street Utility Extension (DEV 04-711)", as shown on Exhibit A, attached hereto and incorporated herein, by Robert J. Pesek, hereinafter referred to as "Developer", and

WHEREAS, Developer paid the total project costs to extend the sanitary sewer main including engineering and construction costs; and

WHEREAS, the total project cost to complete this sanitary main extension project was \$14,531.08; and

WHEREAS, the total project cost will be equally proportioned to the properties identified in Exhibit A before such property shall be served with such facilities; and

WHEREAS, the Common Council finds that such utility construction fees are appropriate and in the best interests of the City, community, and the sanitary sewer utility.

NOW, THEREFORE, be it resolved that utility construction fees are hereby imposed on the property that benefits from the construction of the sanitary sewer main along Mallow Street as per plans prepared by Centerline titled "Mallow Street Utility Extension (Dev 04-711)", and

BE IT FURTHER RESOLVED, three properties that will benefit from the extension of the sanitary sewer main have been identified and are shown on Exhibit A, and are further identified as the Hendrickson property (lot 17), the Chandler property (lot 18), and the Pesek property (Developer's)(lots 19, 20, 21, & 22); and

BE IT FURTHER RESOLVED, the above-described properties shown in Exhibit A, other than the Pesek property (Developer's property), shall be required to pay its proportional share of the cost of the construction of the extension of the sanitary sewer main at such time the property requests a sewer service tap; and

BE IT FURTHER RESOLVED, the basis for establishing each benefiting property's proportional share of the cost of the construction shall be accomplished by dividing the actual project cost by 3 parcels (one of which is the Developer's parcel); and

BE IT FURTHER RESOLVED, all sewer construction fees collected as established herein shall accrue to the sanitary sewer enterprise fund; and

BE IT FURTHER RESOLVED, such utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$9,687.38 is collected, at which time this Resolution and utility construction fee shall automatically expire; and

BE IT FURTHER RESOLVED, the Developer will be reimbursed his proportional share of the cost associated with extending the sanitary sewer main from the sewer construction fees collected as established herein.

Dated this 20th day of February, 2006.

ATTEST:
s/ James F. Preston
Finance Officer
(SEAL)

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

65. Approve an Exception to the Rapid City Design Criteria Manual for the location of a sewer main on Centre Street.

Legal & Finance Committee Consent Items

66. Refer prohibiting smoking for certain Civic Center events to the Civic Center Board with the request that this item be placed on their next agenda.
67. Approve a request to hold all night softball tournament at Star of West Complex for two days in June on a one-time trial basis with a request that the organization come back to the Legal & Finance Committee in July with a report.
68. No. LF021506-23 Refer a request for funding from the .16 Utility Fund for sewer and water for Mall Drive (between East North Street and LaCrosse Street, FLMC, Inc.) to the .16 Committee.
70. No. LF021506-02 Approve a Resolution regarding Rapid City Clean Up Day.

RESOLUTION

WHEREAS, reducing litter rubbish, and other debris is an important part of the scenic beauty of the City of Rapid City; and

WHEREAS, from time to time the City becomes negatively impacted by litter, rubbish and other debris; and